

<b>Advisory Action</b>	Application No. <b>09/775,476</b>	Applicant(s) <b>TERZIOGLU ET AL.</b>
	Examiner <b>TRONG PHAN</b>	Art Unit <b>2818</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED May 6, 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**THE PERIOD FOR REPLY [check only a) or b)]**

- a)  The period for reply expires 3 months from the mailing date of the final rejection.
- b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_ . Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.  The proposed amendment(s) will not be entered because:
  - (a)  they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  they raise the issue of new matter (see NOTE below);
  - (c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3.  Applicant's reply has overcome the following rejection(s):
   
\_\_\_\_\_  
\_\_\_\_\_
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.  The a)  affidavit, b)  exhibit, or c)  request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
see attached explanation.
  
\_\_\_\_\_
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: \_\_\_\_\_

Claim(s) withdrawn from consideration: \_\_\_\_\_

8.  The proposed drawing correction filed on \_\_\_\_\_ is a)  approved or b)  disapproved by the Examiner.
9.  Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ . *Phan Trong Phan*  
**TRONG PHAN**
10.  Other: \_\_\_\_\_

**PRIMARY EXAMINER**

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**ADVISORY ACTION**

Applicant's response to the FINAL office action of January 29, 2003 sending by FAX on May 6, 2003 has been fully considered but it is NOT persuasive to place the application in condition for allowance because of the following reasons:

A) The rejection of claims 1-2 and 4 under 35 USC 112, first paragraph, has not been responded;

B) Regarding the rejection of claims 1-2 and 4 under 35 USC 102(b) as being anticipated by Becker et al., 5,886,929:

Becker et al., 5,886,929, clearly shows in Fig. 2 that output 203, for coupling with the word line of the memory cell, is an asynchronous portion when the SET function of high speed latch 210 is disabled, and the system clock CLK is incapable of driving output 203 HIGH (see lines 18-20, column 6) because the system clock CLK is de-coupled at node 504 from the gate of transistor 518 in Fig. 5 (see lines 1-4, column 9).

Becker et al., 5,886,929, also clearly discloses that when the RESET function is enabled, in responsive to the asynchronous RESET signal from output feedback inverter, the high speed data latch 210 is reset to a complementary preset logic state (see lines 18-21, column 5), then the system clock CLK is isolated from the reset transistor 518 in Fig. 5 (see last four lines of the abstract).

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As a result, the synchronous portion/high speed latch 210 is substantially isolating from the asynchronous portion/output 203.

C) Accordingly, for all above reasons, the FINAL rejections of claims 1-2 and 4 under 35 USC 112, first paragraph, and 35 USC 102(b) are still proper and are sustained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRONG PHAN whose telephone number is (703) 308-4870 and email address is trong.phan@uspto.gov

*phanTrong*  
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PRIMARY EXAMINER

May 9, 2003



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